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MINUTES OF THE ZONING BOARD PUBLIC
HEARING AND REGULAR MEETING, HELD
MONDAY, SEPTEMBER 23, 2013, 7:00 P.M.,
4TH FLOOR, CAFETERIA, GOVERNMENT CENTER
BUILDING, 888 WASHINGTON BLVD,
STAMFORD, CONNECTICUT 06901

Present for the Board: Thomas Mills, Bill Morris, Barry Michelson and Roseanne McManus.
Present for staff: Norman Cole, Land Use Bureau Chief and David Killeen, Associate Planner

PUBLIC HEARING

Chairman Mills called the meeting to order at 7:12 p.m.

1. **Application 213-19 – 467 WEST MAIN STREET ASSOCIATES, LLC & AUTOZONE, INC., 467 West Main Street and 138 West Avenue,** requests approval of a special exception per Appendix A, Table II, Item 60 to operate a retail automotive parts and equipment store which specifically excludes automotive service in a C-L Zone.

Tom Mills opened the Public Hearing on this application. Barry Michelson read the Planning Board referral letter into the record.

Attorney Nicholas Vitti explained the history of the text amendment and subdivision to move the lot line described on the site plan and that Autozone will lease this property. The City states the plan is to rezone lot V-C. The building will be 10 feet from the front property line. Parking will be in the rear. He discussed how batteries and waste oil will be handled: they'll have a 185 gallon oil tank above ground inside and batteries will be stored inside. Engineering referral comments were favorable and any outstanding comments have been addressed. Mani Poola, Traffic Engineer has recommended street widening easement on West Avenue and the Applicant has agreed. The Applicant disagreed with the recommended video detection. Signal modification can improve level of service (LOS) from D to C. Requested additional mitigation measures were also not agreed to with the Staff report recommending numerous architectural modifications.

Nathan Kirshner, P.E. explained the modifications made to address V-C district standards. Ornamental lighting will be added to the North, South and West facades and the grade change (North to South) will complicate adding a building entrance on the West Main Street side. They intend to add a 6 foot stockade fence on the north property line and two more trees to buffer residences to the North.

Mr. Mills asked the Board for questions. Ms. McManus asked for an explanation of the widening easement. Mr. Kirshner explained and restated the plan to retime the signal. Ms. McManus asked if they could also explain when Autozone traffic is most active? Mr. Kirshner said weekdays after 4pm and Saturdays.

Mr. Michelson asked if there was any State DOT permit? Mr. Kirshner said no.

Mr. Morris asked if there was a special containment system for the waste oil tank? Mr. Kirshner said it would be a double wall tank and there's a spill kit on site with a management plan in place. Mr. Morris asked how many batteries would be stored? Mr. Kirshner said they are picked up weekly and they do not accept batteries in poor condition. Mr. Morris asked what changes were made to the building design? Mr. Kirshner said they replaced the concrete block with painted concrete masonry unit (CMU); added faux windows; raised roof at the corner; changed wall color from grey to brown and added lights.

Ms. McManus asked if waste oil and batteries were also accepted at other stores? Mr. Kirshner said yes.

Mr. Mills asked if the faux windows are display windows? Mr. Kirshner said no. Mr. Mills asked if they were going to fix the dip in West Avenue? Mr. Kirshner said no. Mr. Mills asked for samples and specifications for the lights. Mr. Mills asked how the garbage collection would be handled. Mark Lapine said the garbage is picked up on Monday's at 5:00am. Mr. Mills asked when deliveries are made? Mr. Lapine said they receive 53 foot tractor trailers throughout the day.

Mr. Mills asked if anyone from the public wanted to comment. There were none.

Mr. Mills asked if they could provide a perspective rendering? Mr. Kirshner said yes.

Attorney Vitti summarized the requested information: exterior building materials, lighting plan, perspective rendering, goose neck lamp, stockade fence and new trees and, confirmation of the easement. Mr. Mills said the Board also needs more information about traffic impacts, turning movements and signal improvements.

Mr. Mills stated that the Public Hearing would continue until the next meeting scheduled for September 30, 2013 at 7:00pm on the 7th floor in the Land Use Conference Area.

Mr. Mills called a brief recess at 8:15pm and resumed the meeting at 8:30pm.

REGULAR MEETING

PENDING APPLICATIONS:

1. Application 213-25 – RICHARD W. REDNISS, Text change

Norman Cole lead a discussion of the revised draft text. Staff asked to strike "nonprofit".

After a brief discussion, Mr. Michelson moved to approve the text change, seconded by Ms. McManus and unanimously approved 4 to 0 (Mills, Michelson, Morris and McManus). The text change to read as follows:

Amend Article II, Section 3A, Definitions, by adding new definition 81.1 to read as follows:

81.1 Public Youth Services Agency: An organization with a minimum of ten (10) years of established collaboration with the Stamford Board of Education and/or Stamford Parks and Recreation Commission serving preschool to high school students by providing facilities and programming for extra-curricular education, recreation, and skill-building activities. The following Special Standards may be allowed by Special Exception of the Zoning Board:

- (a) Parking requirements shall be determined by the Zoning Board based upon operational need and may be satisfied by offsite lease on land owned by the City of Stamford, provided said lease is for not less than 25 years;*
- (b) Building setbacks shall be not less than 10' to any residence zone or street frontage;*
- (c) Building Coverage shall not exceed 50% of the site, inclusive of any area leased from the City of Stamford;*

Amend Article III, Section 4-AA-3 (R6 One and Two Family District), paragraph 3.3 (Permitted Uses, Special Exception), by inserting "Public Youth Services Agency, R-6 District Only" as use "h." and relabeling following uses as follows:

- h. Public Youth Services Agency, R-6 District Only.*
- i. School, non-public.*

Amend Appendix A, Table I, by adding use #38.5 – Public Youth Services Agency (81.1) – marked with a "B" in the R-6 District.

2. Application 213-26 – STAMFORD HOSPITAL, INC. & STAMFORD HEALTH SYSTEM, INC., Text change

David Killeen reviewed the draft text.

After a brief discussion, Ms. McManus moved to approve the text change, seconded by Mr. Morris and unanimously approved 4 to 0 (Mills, Michelson, Morris and McManus). The text change to read as follows:

Amend Article III, Section 9-L-5-d (first sentence) to read as follows:

Building Height. No building shall exceed 75 feet provided; however, that on any HCDD zoning district which is greater than sixteen (16) acres, one building may be allowed up to 210 feet and one additional building may be allowed up to 100 feet.

3. **Application 213-27 - STAMFORD HEALTH SYSTEM, INC. & THE STAMFORD HOSPITAL**, modification of the approved General Development Plan

David Killeen reviewed the draft conditions. The Board suggested modifications to Condition #3.

After a brief discussion, Mr. Michelson moved to approve the GDP as modified, seconded by Mr. Morris and unanimously approved 4 to 0 (Mills, Michelson, Morris and McManus). The conditions of approval to read as follows:

***WHEREAS**, the Zoning Board has received an application for Approval of Site Plans/Requested Uses (General Development Plan only) submitted by STAMFORD HEALTH SYSTEM, INC. and THE STAMFORD HOSPITAL. Said application requests a modification of the General Development Plan to accommodate a medical office building which will contain approximately 97,400 square feet of Floor Area and will be approximately 100 feet tall;*

***WHEREAS**, the Zoning Board conducted a duly called public hearing on September 16, 2013, and has considered the comments of the Planning Board and the general public;*

***WHEREAS**, said applications were accompanied by landscape plans prepared by Dirtworks, PC, dated July 30, 2013 and titled: "L-AS, Landscape Site Plan," "L-B, Landscape Blowup Plan," and "L-C, Character Images;" architectural plans prepared by WHR Architects, dated July 30, 2013 and titled: "A-1, Floor Plan Level LG-1," "A-2, Floor Plan Level G," "A-3, Floor Plan Level 1, 2," "A-4, Floor Plan Level 3," "A-5, Floor Plan Level 4, 5," "A-5.1, Floor Plan Level 6," "A-6, Context Elevation," "A-7, Building Elevations," "A-8, Perspective Rendering," "A-9, Perspective Rendering;" and civil plans prepared by Redniss & Mead, dated July 30, 2013 and titled: "SE-1, Grading Plan," "SE-2, Utility Plan," "SE-3, Sediment & Erosion Control Plan," "SE-4, Site Notes & Details," "ZLS, Zoning Location Survey" as well as a "Utility Report" prepared by Redniss & Mead and dated July 30, 2013, a "Traffic Impact Report" prepared by Milone & MacBroom dated September 10, 2013 and such related materials and exhibits constituting the application file, as may be amended to be consistent with representations made during the public hearing on September 16, 2013 and conditions contained herein; and,*

***WHEREAS**, the Zoning Board finds that the modification of the General Development Plan, as herein modified, conforms to the standards, goals, purposes and specific objectives of the HCD-D Regulations and the Stamford Master Plan.*

***NOW THEREFORE BE IT RESOLVED** that the Zoning Board approves Application 213-27 requesting Approval of Site Plan/Requested Uses related to a*

modification of the General Development Plan, subject to the following conditions:

- 1. The conditions contained in Zoning Board Approval 212-14 & 212-15 remain in effect and are incorporated herein.*
- 2. The Applicants have represented that there are no plans for additional structures on the hospital campus at this time. In the event the Applicants propose an amendment to the General Development Plan to permit additional structures over 75 feet tall in the future, the Zoning Board will require submission of a model or similar presentation tool articulating the scale and massing of the new structure(s), the existing hospital buildings and the surrounding neighborhood.*
- 3. Prior to December 31, 2013, the Applicants shall implement the landscaping plan for 31 Wright Street as described in the landscape plans contained in the Phase II application binder dated June 15, 2012. Provided however, the south side of the property shall not be landscaped until the existing home at 35 Wright Street is demolished, but not later than the issuance of a certificate of occupancy for the Medical Office Building (ICP).*
- 3. The approved General Development Plan, as modified, shall be recorded on the City of Stamford Land Records.*
- 4. All structures and improvements shown on the GDP approval shall be completed within fifteen (15) years of the July 9, 2010 GDP approval.*

OLD BUSINESS

Mr. Michelson moved to take the agenda items out of order, seconded by Mr. Morris and unanimously approved 4 to 0 (Mills, Michelson, Morris and McManus).

4. **Application 212-08 and 212-09 - Gershman Brown Crowley, Inc. and Connecticut CVS Pharmacy, L.L.C.,** (Large Scale Development) to demolish an existing, 18,599 square foot retail shopping center and replace it with a new, 14,691 square foot, single story retail building to be used by CVS, and other associated site improvements (*request for time extension*).

After a brief discussion, Mr. Michelson moved to approve the time extension, seconded by Ms. McManus and unanimously approved 4 to 0 (Mills, Michelson, Morris and McManus).

1. **Application 212-07 – Dynafield, LLC and JPMorgan Chase Bank, NA, Final Site & Architectural Plan, 559 Newfield Ave,** construction of a new 3,447 s.f. Bank with drive-through and associated site improvements located on .75 acres in the B-D district (*administrative review of signage*) [*continued from September 16, 2013*].

Mr. Mills tabled further discussion of this item until the next meeting to allow Chase Bank to provide additional documentation.

2. **Application 206-37 - THOMAS RICH and 33 BROAD STREET ASSOCIATES II, LLC**, mixed-use development comprised of 170 dwelling units and 3400 +/- square feet of ground floor retail use, 269 parking spaces located on five levels, associated drainage, landscaping and public amenities, for a 2.7 +/- acres site, at 33 Broad Street known as Trump Parc (*administrative review of architectural alteration*).

Mr. Drew Greenwood, owner, explained the proposal. They will add glass panels inside.

After a brief discussion, Ms. McManus moved to approve the request provided this is the only unit that will be permitted this exception, seconded by Mr. Morris and unanimously approved 4 to 0 (Mills, Michelson, Morris and McManus).

3. **Application 213-07 & 213-08 - RMS 750 Summer Street LLC and RMS Holdings, LLC**, Special Exceptions, General Development Plan to develop approximately 24,750 SF of MX-D zoned land with a 6 story building containing 58 residential units, 58 parking spaces and associated amenities (*administrative review of window color and external building materials*).

Mr. Killeen introduced the proposed building materials. The upper floor will use lighter colors; any changes subject to Zoning Board staff approval.

After a brief discussion, Mr. Michelson moved to approve the request, seconded by Ms. McManus and unanimously approved 4 to 0 (Mills, Michelson, Morris and McManus).

5. **Application 208-05 ANTARES HARBOR POINT**, General Development Plan, Condition #7, 14 Acre Working Boatyard and Full Service Marina status updates, Cease & Desist Order and requested items.

Attorney Freeman provided a comparison of winter hours last year to this year and also reported there'd been 9 inquiries for winter storage with contracts due by October 15. He discussed the proposed Jitney route and reported on the meeting they'd had with DSSD regarding the Jitney schedule with no consensus yet.

Mr. Cole commented that the existing commuter routes don't serve the entire Southend.

Mr. Mills asked Attorney Freeman to report again at the next meeting about how long these commuter loops (blue and red) need to run.

ADJOURNMENT

Mr. Mills adjourned the meeting at 10:22pm.

Respectfully submitted,

Barry Michelson, Secretary
Stamford Zoning Board